



General Assembly

January Session, 2005

**Committee Bill No. 5799**

LCO No. 4548

\*04548HB05799PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

**AN ACT CONCERNING DISPOSITION OF UNCLAIMED CREMATED  
REMAINS BY FUNERAL DIRECTORS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2005*) (a) If the person responsible  
2       for making funeral arrangements for a decedent requests the disposal  
3       of the deceased body by cremation, the funeral director shall complete  
4       a written form approved by the Board of Examiners of Embalmers and  
5       Funeral Directors which contains the following information: (1) The  
6       name and address of the funeral service business that is responsible for  
7       the disposal of the deceased body; (2) the name of the decedent; (3) the  
8       place and time of the cremation; (4) the name of the licensed funeral  
9       director or embalmer; (5) the name and address of the person  
10      responsible for making funeral arrangements; (6) a summary of the  
11      disposition, in accordance with section 2 of this act, of the cremated  
12      remains, if unclaimed; and (7) a statement indicating the disposition of  
13      the cremated remains requested by the person responsible for making  
14      funeral arrangements. Such form shall be signed and dated by the  
15      person responsible for making funeral arrangements for the decedent  
16      and the funeral director. A copy of the signed form shall be provided

17 to the person responsible for making funeral arrangements for the  
18 decedent. The original signed form shall be retained at the funeral  
19 service business.

20 (b) Upon completion of disposition of the cremated remains, the  
21 funeral director shall record, on a form approved by the Board of  
22 Examiners of Embalmers and Funeral Directors, the following  
23 information: (1) The date of cremation and the name and location of  
24 the crematory, (2) the date, location and manner of disposition of the  
25 cremated remains, and (3) the signature of the person making the  
26 disposition of the cremated remains. Such form shall be retained at the  
27 funeral service business and shall also be filed with the town clerk of  
28 the municipality in which the death occurred as part of the death  
29 certificate filed pursuant to section 7-62b of the general statutes.

30 Sec. 2. (NEW) (*Effective July 1, 2005*) (a) If the cremated remains are  
31 not accepted by another person in accordance with the requested  
32 disposition of the cremated remains on the form required by  
33 subsection (a) of section 1 of this act, the funeral director may dispose  
34 of such cremated remains by: (1) Burial in a cemetery, or (2) storage in  
35 a crypt of a mausoleum or columbarium, provided notice has been  
36 sent to the person responsible for making the funeral arrangements  
37 and the person responsible for claiming the cremated remains, if  
38 different from the person signing the form, in accordance with the  
39 provisions of subsection (b) of this section. Upon such disposal of the  
40 cremated remains, the funeral director shall record the disposal in  
41 accordance with the provisions of subsection (b) of section 1 of this act.

42 (b) If, because of the failure of the person responsible for claiming  
43 the cremated remains to accept such remains, a funeral director  
44 possesses cremated remains for more than one hundred eighty days  
45 after the date of cremation, such embalmer or funeral director shall  
46 provide notice, by certified mail, to the person who signed the form  
47 required by subsection (a) of section 1 of this act and the person  
48 responsible for claiming such remains, if different from the person

49 signing the form. Such notice shall provide that if the cremated  
 50 remains are unclaimed for more than ninety days after receipt of such  
 51 notice, such remains will be disposed of in accordance with subsection  
 52 (a) of this section.

53 (c) Any cremated remains in the possession of a funeral director on  
 54 July 1, 2005, may be disposed of in the manner set out in subsection (a)  
 55 of this section provided the funeral director has made a reasonable  
 56 attempt to notify the person who made the funeral arrangements or a  
 57 relative of the decedent. Such notice shall provide that if the cremated  
 58 remains are unclaimed for more than one hundred eighty days after  
 59 receipt of such notice, the remains will be disposed of in accordance  
 60 with subsection (a) of this section.

61 (d) Any funeral director who disposes of cremated remains in  
 62 accordance with the provisions of this section shall not be liable in any  
 63 civil action arising from the disposal of such cremated remains.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section

***Statement of Purpose:***

To establish a process for the disposition of unclaimed cremated remains by funeral directors.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

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